

***TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
JULY 2, 2001***

The Tippecanoe County Commissioners met on Monday, July 2, 2001 at 9:00 A.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President Ruth E. Shedd, Vice President John L. Knochel, and Member KD Benson; Auditor Robert A. Plantenga, Commissioners' Assistant Jennifer Weston, County Attorney Thomas H. Busch, and Secretary Pauline E. Rohr.

President Shedd called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

Commissioner Knochel moved to approve the minutes of June 7, 2001 Special Joint Meeting with the Council, June 12, 2001 Special Joint Meeting with the Council, June 13, 2001 Special Meeting, June 18, 2001 Regular Meeting, and June 22, 2001 Special Meeting as distributed, seconded by Commissioner Benson; motion carried.

APPROVAL OF CLAIMS

- Upon the recommendation of Commissioners' Assistant Weston, Commissioner Benson moved to approve the Claims with no exceptions for the periods ending June 22, 2001, June 29, 2001, June 26, 2001, and July 2, 2001, seconded by Commissioner Knochel; motion carried.

2002 SALARY ORDINANCES: Auditor Bob Plantenga

Auditor Plantenga stated that, according to IC 36-2-5-4, County departments are required to submit their Salary Ordinances for the following year to the County Auditor by July 2 . After the County Auditor presents them to the Commissioners at their July meeting, the Commissioners shall make recommendations to the County Council before August 20.

HIGHWAY: Executive Director Mark Albers

INTERLOCAL AGREEMENT: McCarty Lane Bridge over I-65

Mr. Albers presented this Interlocal Agreement between Tippecanoe County and Indiana Department of Transportation (INDOT) for construction of the Bridge for McCarty Lane over Interstate 65 (I-65).

The County Highway Department will be responsible for the following maintenance:

- Signage on the bridge for McCarty Lane traffic,
- Crash attenuators, barrier walls, and/or guardrails on McCarty Lane
- Pavement markings on McCarty Lane, including bridge
- Snow and ice control on McCarty Lane and bridge
- Maintenance of the piers, retaining walls, abutments, superstructure, substructure, and/or components of the bridge.

INDOT will be responsible for the following maintenance:

- Signage on the bridge for I-65 traffic
- Crash attenuators, barrier walls, or guardrails for the protection of I-65 traffic
- Pavement markings on I-65
- Snow and ice control on I-65
- Drainage within I-65

- Fencing to identify the I-65 limited access right-of-way
- Maintain the additional right-of-way along I-65 within the limited access fence.
- Commissioner Knochel moved to approve the Interlocal Agreement between Tippecanoe County and INDOT for construction of the McCarty Lane Bridge over I-65, seconded by Commissioner Benson; motion carried.

AGREEMENT: Design Service

Executive Director Albers requested approval of a Design Services Agreement with H. Stewart Kline and Associates, Inc. for the 2001 Bridge Rehabilitation Contract in the amount of \$67,500. Mr. Albers said due to the number of bridges involved there will be two contracts: one for work completed this year and one for work completed during the next construction season.

- Commissioner Knochel moved to approve the Design Services Agreement with H. Stewart Kline and Associates, Inc. in the amount of \$67,500, seconded by Commissioner Benson; motion carried.

CHANGE ORDER #3: CR 200 S Reconstruction Project

Executive Director Albers explained that, when the roadbed was excavated, they found it necessary to undercut 12" to remove unstable material for an additional \$23,389.40.

- Commissioner Knochel moved to approve Change Order #3 in the amount of \$23,389.40, seconded by Commissioner Benson; motion carried.

LEGAL NOTICE: CR 700 S Resurfacing

Executive Director Albers presented the Legal Notice for the receipt of bids at 9:00 A.M., Monday, July 9, 2001 for the CR 700 S Resurfacing Project.

GRANT OF RIGHT-OF-WAY: by Parcelization: Sutter

Executive Director Albers presented the following Grants of Right-of-Way by parcelization for approval:

Key #140-02800-0101: A part of the W ½ of the SW ¼ of Sec. 25, Twp. 22 N, R 6 W, Wayne Twp. (CR 700 S) from R. Gregg Sutter.

Key #140-02800-0080: Part of the SW ¼ of the NW ¼ of Sec. 25 & part of the SE ¼ of the NE ¼ of
Key #140-02900-0089 Sec. 26, Twp. 22 N, R 6 W, Wayne Twp. (CR 650 S) from R. Gregg Sutter.

- Commissioner Knochel moved to approve the Grants of Right-of-Way by parcelization, seconded by Commissioner Benson; motion carried.

MAINTENANCE BOND: J. R. Kelly

- Commissioner Knochel moved to approve the three year Maintenance Bond from J. R. Kelly Company, Inc. in the amount of \$5,000 for construction of Fire Station #9 at CR 475 E, seconded by Commissioner Benson; motion carried.

CERTIFICATES OF INSURANCE

- Monroe Guaranty Insurance for 4-D Buildings, Inc. & R. D. Builders, Inc.

- Auto Owners Insurance Co for DML Enterprises Inc.
- United Farm Family Mutual Insurance Company for Robert Brettnacher
- Selective Ins of S Caroli, Selective Insurance Group for Dillon Trnching & Nu Counters and Nu Kitchens
- Ohio Casualty Group for Harriss Drilling Services, Inc
- Indiana Farmers Mutual for Larry Perlee dba Perlee Construction
- Indiana Insurance Company for J. R. Kelly Co., Inc.
- Cincinnati Insurance Co, Cincinnati Casualty Company for Ince Development Co. Inc
- Pekin Insurance for Ron Carman Excavating
- Cincinnati Insurance Company, Cincinnati Casualty for F & K Construction Inc

ORDINANCE 2001-19-CM: UZO Amendment 22

(quote)

June 21, 2001

Ref. No. 01-365

Tippecanoe County Commissioners
Attn: Tippecanoe County Auditor
20 North 3rd Street
Lafayette, IN 47901

CERTIFICATION

RE: UZO AMENDMENT 22: An amendment to Chapters 1 and 6, modifying the definition of Administrative Officer, and assigning specific zoning ordinance duties to two AOs in unincorporated Tippecanoe County.

Dear Tippecanoe County Commissioners:

As Secretary Pro Tempore to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on June 20, 2001, the Area Plan Commission of Tippecanoe County voted 14 yes - 0 no on the motion to approve the enclosed UZO amendment. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed zoning ordinance amendment be APPROVED.

Sincerely,

/s/James D. Hawley
Executive Director

ORDINANCE NO. 2001-19-CM

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, NO. 97-51-CM**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA, THAT THE UNIFIED ZONING ORDINANCE, BEING A SEPARATE ORDINANCE AND NOT PART OF A UNIFIED COUNTY CODE IS HEREBY AMENDED AS FOLLOWS:

Section 1. Change 1-10-2, WORDS AND TERMS DEFINED, of 1-10, DEFINITIONS, of **CHAPTER 1, GENERAL PROVISIONS**, by amending the definition of Administrative Officer to read as follows:

ADMINISTRATIVE OFFICER. The person or persons within each member jurisdiction with the responsibility of administering and/or enforcing this Ordinance within that jurisdiction.

Section 2. Change 6-1, ADMINISTRATIVE OFFICERS, of **CHAPTER 6**, ADMINISTRATION, by changing current subsections (a) and parts of (b) to read:

- (a) The ***Administrative Officer*** is the person or persons within each member jurisdiction with the principal responsibility for enforcing this Ordinance within that jurisdiction.
- (b) Within each member jurisdiction, the following person or persons is designated the ***Administrative Officer***.
 - (3) Unincorporated Tippecanoe County:
 - (A) The County Building Commissioner whose duties and responsibilities are those set forth in *Indiana Code* or in this Ordinance involving the issuance, denial or conformity with an ***improvement location permit***, or ***Certificate of Compliance*** or Occupancy Permit or request for a ***special exception*** and the determination of violations related thereto;
 - (B) The County Zoning Enforcement Officer whose duties and responsibilities are those set forth in *Indiana Code* or this Ordinance involving permitted ***uses*** in ***zones*** and violations of standards set forth in this Ordinance in Chapters 2, 3, 4 and 5;

Section 3. This ordinance shall be in full force and effect from and after its passage.

Adopted and Passed by the Board of Commissioners of Tippecanoe County, Indiana, this 2nd day of July, 2001.

VOTE

Ruth Shedd, President

John Knochel, Vice President

KD Benson, Member

ATTEST:

Robert A. Plantenga, Auditor

(unquote)

Area Plan Assistant Director Bernie Gulker explained that this amendment splits the responsibilities of the Administrative Officer of Zoning Ordinances into two set of responsibilities to be accomplished by the Building Commissioners and the Zoning Enforcement Officer. It also sets out the duties of each.

- Commissioner Knochel moved to approve Ordinance 2001-19-CM, seconded by Commissioner Benson.

Auditor Plantenga recorded the roll call vote:

Ruth Shedd	Yes
John Knochel	Yes
KD Benson	Yes

- The motion to approve Ordinance 2001-19-CM passed 3 – 0.

RESOLUTION 2001-12-CM: Appointment and Term of Zoning Enforcement Officer Albert L. Levy

Attorney Busch read Resolution 2001-12-CM:

(quote)

RESOLUTION 2001-12-CM

TERM OF THE ZONING ENFORCEMENT OFFICER

WHEREAS, the Unified Zoning Ordinance has been amended to provide that the Administrative Officer for the Tippecanoe County in certain circumstances is the Tippecanoe County Building Commissioner and in other circumstances is the Tippecanoe County Zoning Enforcement Officer; and

WHEREAS, it is necessary to specify the manner of appointment of the Zoning Enforcement Officer and the term of that office;

NOW THEREFORE BE IT RESOLVED that the Tippecanoe County Zoning Enforcement Officer shall be appointed by the Board of Commissioners, shall answer directly to the Board of Commissioners, and shall serve a term beginning on January 1st and ending on December 31st each year, provided however that the first such appointment shall serve a term beginning upon appointment and ending December 31, 2001; and be it

FURTHER RESOLVED that the Tippecanoe County Zoning Enforcement Officer shall remain in office until the successor is appointed; and be it

FURTHER RESOLVED that Albert L. Levy is hereby appointed as Tippecanoe County Zoning Enforcement Officer for the first such term.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA this 2nd day of July, 2001.

**BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY**

Ruth Shedd, President

John Knochel, Vice President

KD Benson, Member

ATTEST:

Robert Plantenga

(unquote)

- Commissioner Knochel moved to approve the term and appointment of Albert L. Levy to the Zoning Enforcement Officer position, seconded by Commissioner Benson; motion carried.

APPOINTMENT: Building Commissioner

- Commissioner Knochel moved to appoint Ronald Highland as Building Commissioner, seconded by Commissioner Benson; motion carried.

COMMUNITY CORRECTIONS: Deputy Director Ron Perigo and Work Release Director Pat Scowden

New Positions

Mr. Scowden requested approval of three new positions that will be almost totally funded by a DOC Grant when it is approved. Salaries and benefits will account for \$81,399.00 of the total grant amount of \$88,920.00.

Secretary for Work Release, House Arrest, and Road Crew	DOC funding
2 Corrections Officers for Work Release night shift	1 ½ DOC funding ½ CC User Fees
1 Surveillance Officer raised to Head Surveillance Officer	DOC funding

In the 2nd year of the Grant they are requesting DOC funding for:

Day Reporting/Road Crew Asst. Officer	\$33,859.00
House Arrest Surveillance Officer	\$35,347.00

Mr. Scowden said the DOC is pushing for Day Reporting.

- Commissioner Knochel moved to approve the request for new positions subject to approval of the Grant, seconded by Commissioner Benson; motion carried.

Vehicles

Mr. Perigo requested approval to purchase three (3) 2001 Chevrolet Malibu cars for a total of \$37,579.75 for the Surveillance Officers and one (1) Chevrolet 8 passenger van for \$21,555.00 for Road Crew. A Project Income Grant in the amount of \$60,000.00 is the source of funding.

- Commissioner Knochel moved to approve the request to purchase three cars and one passenger van, seconded by Commissioner Benson; motion carried.

SOIL & WATER: Linda Eastman

Ms Eastman requested a new position, Water Quality Educator, that will be funded by a grant totaling \$66,750.00. This person will be employed full time for two (2) years beginning July 1, 2001 and ending June 30, 2003.

- Commissioner Benson moved to approve the new position for Soil & Water that will be funded by a grant, seconded by Commissioner Knochel; motion carried.

RESOLUTION 2001-30-CM: Establishing Juvenile Justice Commission

Attorney Busch read the Resolution:

(quote)

RESOLUTION 2001-30-CM

**RESOLUTION ESTABLISHING THE TIPPECANOE COUNTY
JUVENILE JUSTICE COMMISSION**

1. There shall be established in the Office of the Tippecanoe County Board of Commissioners the Tippecanoe County Juvenile Justice Commission ("Commission").

2. There shall be nine (9) members of the Commission.

The following three (3) members shall serve by virtue of their office and shall serve during their tenure in office:

- (a) The judge of Superior Court No. 3, the Court having juvenile jurisdiction;
- (b) The member of the County Council appointed by the President of the Council;
- (c) A member of the Board of Commissioners, appointed by the President of the Board of Commissioners,

If the judge leaves office, her successor shall assume her position on the Commission. If the Council member or Commissioner leaves office, another Council member or Commissioner shall be appointed to fill his position on the Commission.

The remaining six (6) members shall be appointed by the Tippecanoe County Board of Commissioners and shall serve one (1) year terms ending, on the later of the 31st day of December following their appointment or until the appointment of their successor.

3. The Commission shall:

- (a) Investigate the need for juvenile Justice services and facilities in Tippecanoe County;
- (b) Recommend the types of juvenile justice services and facilities, if any, that should be provided in Tippecanoe County,
- (c) Survey the needs of surrounding counties for utilization of a juvenile justice facility if constructed in Tippecanoe County;
- (d) Survey the availability and suitability of juvenile Justice services and facilities for use by Tippecanoe County within a sixty (60) mile radius of Tippecanoe County;
- (e) Investigate, report on, and recommend options for funding the construction of a juvenile justice facility-
- (f) Investigate the availability of grants or other forms of financial assistance for planning and conducting feasibility studies with respect to juvenile justice services and facilities in Tippecanoe County;
- (g) Assist the Board of Commissioners in selecting the persons or organizations which would conduct a planning study and a feasibility study,
- (h) Survey other juvenile Justice services and facilities in Indiana and report to the Board of Commissioners on their operating budgets, their expenditures, and their sources and amounts of income;
- (i) Assist the Board of Commissioners in educating the residents and taxpayers of Tippecanoe County concerning the findings of the Commission;
- (j) Perform such other tasks as may be assigned to the Commission from time to time by the Tippecanoe County Board of Commissioners.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA this 2nd day of July, 2001.

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

Ruth Shedd, President

John Knochel, Vice President

KD Benson, Member

ATTEST:

Robert A. Plantenga, Auditor

(unquote)

- Commissioner Knochel moved to approve Resolution 2001-30-CM, Establishing the Juvenile Justice Commission, seconded by Commissioner Benson; motion carried.

Commissioner Benson commented that this Commission is an outgrowth of the Juvenile Task Force.

RENEWAL OF INTER-COUNTY AGREEMENT: Adult Protective Services

This is a renewal of an agreement between the Prosecutors of eight (8) counties, including Tippecanoe, and Family Services, Inc. for providing Adult Protective Services from July 1, 2001 to June 30, 2003.

- Commissioner Knochel moved to approve the renewal of the Inter-County Agreement for Adult Protective Services, seconded by Commissioner Benson; motion carried.

MEMORANDUM OF UNDERSTANDING: Juvenile Alternatives, Director Cathy Smith

Ms Smith explained this is Memorandum of Understanding between Lafayette School Corporation/GLASS (Greater Lafayette Special Services) and Juvenile Alternatives is for financial support of the JEDIS/Truancy Mediation Program. GLASS will provide \$3,500 from July 2001 through June 2002.

- Commissioner Knochel moved to approve the Memorandum of Understanding between GLASS and Tippecanoe County Juvenile Alternatives Program, seconded by Commissioner Benson; motion carried.

APPLICATIONS: Tippecanoe Villa

- Commissioner Knochel moved to approve applications to the Tippecanoe Villa for Harold Edward Stevens, Lee Edward Eppley, and Tina M. Zeck, seconded by Commissioner Benson; motion carried.

CONTRACT: State Board of Animal Health

This is a contract between Tippecanoe County and the Indiana State Board of Animal Health for required testing for Bovine Brucellosis and Tuberculosis of cattle at a cost to the County of \$1,000.

- Commissioner Knochel moved to approve the contract with the Indiana State Board of Animal Health, seconded by Commissioner Benson; motion carried.

UNFINISHED/NEW BUSINESS

CARY HOME: Director Rebecca Humphrey

Agreement of Cooperation

Ms Humphrey requested approval of an Agreement of Cooperation between Lafayette School Corporation/GLASS and Cary Home for a Therapeutic Day Program for at-risk adolescents. The purpose of the Program is to provide day treatment services to re-integrate the children into a full day at school. They will use the JAMS classroom from 9:00 A.M. until noon for life skills, treatment, and tutoring. They will meet in the Alternative School classroom from 1:00 P.M. until 4:00 P.M. for class work. The Program, with a \$75.00 per diem, will begin with a maximum of five (5) children and one (1) staff member. Ms Humphrey is proposing to make the JAMS Facilitator and JAMS Therapist positions full time so that they can handle both programs.

- Commissioner Knochel moved to approve the Agreement of Cooperation between Lafayette School Corporation/GLASS and Cary Home, seconded by Commissioner Benson; motion carried.

Position Requests

Ms Humphrey requested approval of full time status for the Juvenile Enhancement & Treatment Specialist (Facilitator) and Juvenile Enhancement & Treatment Coordinator (Therapist) as PAT 1 and PAT 4 respectively. She said the DFC Grant will fund the Therapist's position through December 2001 and funding from the unfilled Clinical Director's position will pay for the Facilitator's position through 2001. Ms Humphrey said they are waiting to hear results from Judge Rush's application for a JAIBG Grant. She said they can also apply for a Community Corrections Grant in October for 2002.

President Shedd said these positions should be paid from grants if possible and thinks it is premature to create positions without the funding. Commissioner Knochel agreed and thought approval should be conditional.

- Commissioner Knochel moved to approve the Facilitator and Therapist positions as full time subject to grant funding for 2002, seconded by Commissioner Benson; motion carried.

APPOINTMENT: Jail Appraisal

- Commissioner Knochel moved to appoint Harold "Red" Strange and Dale Webster to appraise the County Jail Facility, seconded by Commissioner Benson.

Attorney Busch explained that an appraisal is required for lease financing of the Jail Facility. The appraisers should report to the Commissioners in approximately two (2) weeks.

- The motion carried.

APPOINTMENT RATIFICATION: Common Wage Board

- Commissioner Knochel moved to ratify the appointment of Margy Deverall to the Common Wage Board for the City of West Lafayette, seconded by Commissioner Benson; motion carried.

PARKING GARAGE RATES: County Employees

- Commissioner Knochel moved to approve the following rates, subject to annual review, of \$40.00/mo for Reserved Premium spaces, \$25.00/mo for Reserved spaces, and \$10.00/mo for Hunt to Find spaces, seconded by Commissioner Shedd.

President Shedd clarified that Reserved Premium spaces will be located on the 1st and 3rd levels and Reserved spaces will be located on the other levels.

Commissioner Benson stated she would like the rate to be free to employees.

- The motion carried with 1 no vote by Commissioner Benson.

APPOINTMENTS: Human Relations Commission

Commissioner Benson announced there has been some discussion by the City of Lafayette concerning the possibility of combining the City's and the County's Human Relations Ordinances. She said she would prefer waiting to appoint a Commission until the County hears from Lafayette.

REPORTS

Reports from Mail & Duplicating, Tippecanoe Villa, and Treasurer are on file in the Commissioners' Office for review.

PUBLIC COMMENT

There was no Public Comment.

ADJOURNMENT

- Commissioner Benson moved to adjourn, seconded by Commissioner Knochel; motion carried.

Robert A. Plantenga, Auditor